



**Decision with Statement of Reasons of the First-tier Tribunal for Scotland (Housing and Property Chamber) under Section 71 of the Private Housing (Tenancies) (Scotland) Act 2016**

**Chamber Ref: FTS/HPC/CV/20/2305**

**Re: Property at 74 Bogside Road, Ashgill, South Lanarkshire, ML9 3AN (“the Property”)**

**Parties:**

**Muirhouse Properties Ltd, per their agents E>L>T Lettings Ltd, Unit 11a Block 3 Dunedin Road, Larkhall Industrial Estate, Larkhall, ML9 2PA (“the applicants”)**

**Mr Alan McCrone, 117 The Lairs, Blackwood, South Lanarkshire, ML11 9GU (“the respondent”)**

**Tribunal Member:**

**David Preston (Legal Member)**

**Decision**

**The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the tribunal”) dismissed the application in terms of Rule 27 of The First-tier Tribunal for Scotland Housing and Property Chamber Rules of Procedure 2017 (“the Rules”).**

**Background**

1. This was a Case Management Discussion (CMD) in respect of an application for an order for payment of the sum of £914.68.
2. By Decision dated 16 November 2020 a Convener of HPC having delegated power for the purpose, referred the application under Rule 9 of the Rules to a CMD.
3. The Notice of Acceptance was intimated to the applicants per their agents on 18 November 2020 along with a letter informing them of the date and time at which the CMD would take place by conference call.
4. On 5 January 2021 at 10.00am a CMD was convened by telephone in accordance with the provisions dealing with business during the COVID-19 pandemic. The

respondent joined the conference call at 10.00am but by 10.10 there was no attendance by or on behalf of the applicants.

5. Accordingly, the tribunal determined to dismiss the application due to the absence of the applicants to speak to the application to respond to the representations made by the respondent on 25 November 2020, which were copied to the applicant's agents on 10 December 2020.

### **Right of Appeal**

**In terms of Section 46 of the Tribunal (Scotland) Act 2014, a party aggrieved by the decision of the Tribunal may appeal to the Upper Tribunal for Scotland on a point of law only. Before an appeal can be made to the Upper Tribunal, the party must first seek permission to appeal from the First-tier Tribunal. That party must seek permission to appeal within 30 days of the date the decision was sent to them.**

5 January 2021